

MEMORANDUM ENDORSED



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January 11, 2022

BY ECF

Hon. Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl Street, Room 2260
New York, NY 10007

Re: *Lisa De Verteuil-Collado v. City University of New York*
22-cv-6646 (GHW)

Dear Judge Woods:

I am the Assistant Corporation Counsel in the Office of the Corporation Counsel assigned to represent the City University of New York (CUNY) in the above-referenced case wherein Plaintiff alleges that CUNY discriminated against her on the basis of her disability and failed to timely provide a reasonable accommodation. (Dkt. No. 1). On November 15, 2022, the Court held a pre-motion conference on Defendant's anticipated motion to dismiss. At the hearing, Plaintiff requested to amend the Complaint, which the Court granted. Then, on December 1, 2022 the Plaintiff filed an amended Complaint. Shortly thereafter, Plaintiff requested to Amend the Complaint again because of an error in the filing and the parties jointly requested to extend the deadline to answer the Second Amended Complaint to January 30, 2023. The Court granted this request and the Plaintiff filed a Second Amended Complaint on December 8, 2022.

On December 22, 2022, the Court set the initial conference for this case for January 19, 2022 and ordered the parties to propose a case management plan by January 12, 2023. However, both of these dates will occur before Defendant's time to answer. Defendant now requests that the initial conference and deadline to propose a case management plan be adjourned until after the deadline to answer. The Defendant is still ascertaining the facts related to the allegations and researching the applicable law; thus, Defendant respectfully submits that it is not yet in a position to determine a discovery schedule. The Defendant proposes that the parties file a joint case management plan when the answer is due, January 30th, and further proposes that the

Court schedule and initial conference shortly thereafter. The parties are available on February 2nd, 16th, and 23rd.

Plaintiff's counsel stated that Plaintiff has no position on the adjournment and does not see why it is necessary. Plaintiff also expressed an interest in being again referred to mediation. Defendant would prefer to work with a Magistrate Judge on settlement. However, the Defendant would not oppose a referral to either mediation or a Magistrate, should the Court see fit to do so.

This is Defendant's first request for an adjournment of the initial conference. If granted, this adjournment would not impact any other deadline. The Defendant apologizes for submitting the request only one business day before the deadline.

Accordingly, on behalf of the Defendant, I respectfully request that the initial conference and the deadline to submit a proposed case management plan be adjourned until the after the Defendant has filed an answer.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Jay Cullen

Assistant Corporation Counsel


cc: **by ECF**
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Defendant's January 11, 2023 request to adjourn the initial pretrial conference, Dkt. No. 23, is granted. The initial pretrial conference scheduled for January 19, 2023 is adjourned to February 23, 2023 at 2:00 p.m. The joint status letter and proposed case management plan described in the Court's December 22, 2022 order are due no later than February 16, 2023.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 24.

SO ORDERED.

Dated: January 11, 2023
New York, New York


GREGORY H. WOODS
United States District Judge